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Practitioner's Docket No. 701039-047875-C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Klagsbrun et al.  
Application No.: 09/579,420 Group No.: 1642  
Filed: May 25, 2000 Examiner: G. Nickol  
For: PEPTIDE ANTAGONISTS OF VASCULAR ENDOTHELIAL  
GROWTH FACTOR

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Transmittal Form (1 pg.);
2. Response to Office Action (4 pp.);
3. Amendment Under C.F.R. § 1.825 (1 pg.);
4. Submission of Sequence Listing, "Computer Readable Copy and/or Amendment Pertaining Thereto for Biotechnology Invention Containing Nucleotide and/or Amino Acid Sequence (2 pp.);
5. Sequence Listing – Paper Copy (1 pg.);
6. Sequence Listing – Disk;
7. Petition for Extension of Time (1 pg.);
8. Check for One Month Extension - \$55.00;
9. Return Receipt Postcard;

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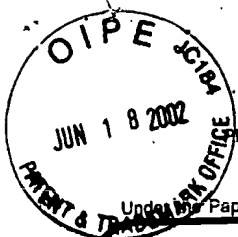
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Date: June 10, 2002

  
Signature

Nicole M. Gignac  
(type or print name of person certifying)



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PTO/SB/21 (08-00)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/579,420

Filing Date 05/25/2000

First Named Inventor Michael Klagsbrun

Group Art Unit 1642

Examiner Name G. Nickol

Total Number of Pages in This Submission

Attorney Docket Number 701039-47875-C

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## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Sequence Listing - Paper Copy; Sequence

Listing - Disk; Amendment & Statement;

Cert. of Mail; Return Receipt Postcard.

### Remarks

The Commissioner is authorized to charge fee deficiencies to the NIXON PEABODY LLP deposit account 50-0850.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

David S. Resnick (Reg. No. 34,235)  
Lana A. Shvartsman (Reg. No. 48,502)  
NIXON PEABODY LLP, 101 Federal Street, Boston, MA 02110

Signature

*Lana A. Shvartsman*

Date

*June 10, 2002*

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 6/10/2002

Typed or printed name

Nicole M. Gignac

Signature

*Nicole M. Gignac*

Date

*6/10/2002*

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 55.00

## C m p l e if Known

Application Number 09/579,420  
Filing Date 05/25/2000  
First Named Inventor Michael Klagsbrun,  
Examiner Name G. Nickol  
Group Art Unit 1642  
Attorney Docket No. 701039-047875-C

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## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account: Charge fee deficiencies

Deposit Account Number 50-0850

Deposit Account Name NIXON PEABODY LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid  
Total Claims -20\*\* = X =  
Independent Claims -3\*\* = X =  
Multiple Dependent =

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	55.00
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 480	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55.00

## SUBMITTED BY

Name (Print/Type) David S. Resnick / Lana A. Shvartsman Registration No. (Attorney/Agent) 34,235 / 48,502 Telephone (617) 345-6057/6177  
Signature Date 6/10/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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GROWTH FACTOR

JUN 25 2002

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CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

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Date 6/10/02

Nicole M. Gignac  
(type or print name of person mailing paper)

Nicole M. Gignac  
Signature of person mailing paper

Assistant Commissioner for Patents  
Washington D.C. 20231

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE

1. This replies to the Office Letter dated February 12, 2002.

A copy of the Office Letter is enclosed.

A. IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, David S. Resnick or Lana A. Shvartsman state the following:

B. ITEMS BEING SUBMITTED

3. Submitted herewith is/are:

- Sequence Listing(s) for the nucleotide and/or amino acid sequence(s) in this application. Each Sequence Listing is assigned a separate identifier as required in 37 C.F.R. § 1.821(c) and 37 C.F.R. §§ 1.822 and 1.823.
- A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. § 1.821(g).

In re application of:  
Application No.:  
Filed:  
For:

Klagsbrun et al.  
09/579,420  
May 25, 2000  
PEPTIDE ANTAGONISTS OF VASCULAR ENDOTHELIAL  
GROWTH FACTOR

Group No.: 1642  
Examiner: G. Nickol

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME AND THAT PAPERS SUBMITTED  
INCLUDES NO NEW MATTER**

4. I hereby state:

- a. Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application where applicable, is the same as the "Sequence Listing" to which it is indicated to relate.
- b. All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

**STATUS**

5. Applicant is a small entity.

**EXTENSION OF TERM**

6. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**FEE DEFICIENCY**

If any additional extension and/or fee is required, charge Account No. 50-0850.

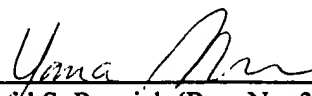
**SIGNATURE(s)**

Date:

*June 10, 2002*

Respectfully submitted,

Customer No.: 26770

  
\_\_\_\_\_  
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Lana A. Shvartsman (Reg. No. 48,502)  
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